

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND EARL BOYD,

Plaintiff,

Case No. 21-11926

v.

Honorable Nancy G. Edmunds

EDWARD NYQUIST, CHRISTOPHER
LAIRD, and JOHN KLAPISH,

Defendants.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
MARCH 1, 2023 REPORT AND RECOMMENDATION [53]**

This is a pro se prisoner civil rights lawsuit filed under 42 U.S.C. § 1983 by Plaintiff Raymond Earl Boyd alleging violations of the Eighth Amendment. (ECF No. 1.) The case has been referred to Magistrate Judge Kimberly G. Altman for all pre-trial matters. (ECF No. 12.) Before the Court is the Magistrate Judge's report and recommendation to deny Plaintiff's motion for partial summary judgment without prejudice. (ECF No. 53.) No party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *See Hall v. Rawal*, No. 09-10933, 2012 U.S. Dist. LEXIS 120541, at *2 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Nonetheless, the Court has reviewed the matter and agrees with the Magistrate Judge. The Court, therefore, ACCEPTS AND ADOPTS the report and recommendation (ECF No. 53). Accordingly, Plaintiff's motion for partial summary judgment (ECF No. 36) is DENIED WITHOUT PREJUDICE.

SO ORDERED.

Dated: March 23, 2023

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 23, 2023, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager